



DEPARTMENT OF SOCIAL SERVICES

3343 South Higuera Street, P.O. Box 8119, San Luis Obispo, CA 93403-8119

TO: BOARD OF SUPERVISORS

FROM : Leland W. Collins
Director, Social Services

DATE: April 15, 2013

SUBJECT: REQUEST FOR RELIEF FROM ACCOUNTABILITY

Recommendation

It is recommended that your Board approve a Request for Relief from Accountability in the amount of \$66,849.16 for the Foster Care Assistance Program.

Discussion

State Fiscal Manual Section 25-480 and Government Code Section 25257 require the Department of Social Services to obtain Board approval for discharge of accountability for debts owed as the result of the overpayment of public assistance benefits.

Since Welfare and Institutions Code 10850 requires that the names of individuals be held confidential, the Department is providing a summary by program of these debts.

State regulations dictate the division of overpayments and over-issuances between client caused and administratively caused errors. Administrative overpayments occur when staff calculates benefit levels or interpret regulations incorrectly resulting in the payment of a higher level of benefits than should have been issued. Non-administrative overpayments occur as a result of participant failure to report important facts.

Rules and regulations governing aid payments are complex, change frequently and mandate that certain overpayments cannot be billed. The State Manual of Policies and Procedures Eligibility and Assistance Standards (MPP EAS) Regulation 44-350.161[b] and 44-352.3 state that no further collection efforts shall be made if the county determines that the cost to collect the overpayment exceeds the amount to be recovered, if the debtor dies, or if the debtor is unlocatable.

These debts may have originated many years ago. During these years, the Department has pursued all available means of collection. After many years of no collection activity, these amounts were determined as appropriate to be written-off during the time period from October, 2010 through September, 2012.

Other Agency Involvement

None.

Financial Considerations

This request is for Relief from Accountability for Foster Care Assistance overpayment debts for the following amounts and reasons for uncollectability:

<u>Amount</u>	<u># of Debts</u>	<u>Reason for Uncollectability</u>
\$27,498.16	25	Foster Care Agency Out of Business
\$11,228.00	13	Unable to Locate
<u>\$28,123.00</u>	<u>46</u>	Bass vs. Anderson Lawsuit
 \$66,849.16	 84	 Total Foster Care Assistance Request for Relief

Currently, for the period covering October 2010 through September 2012 the total figure for **84** uncollectible Foster Care Assistance overpayments is **\$66,849.16** with a **County share of cost totaling \$27,675.55.**

In addition to the regular clean up research, the Department's focus was on uncollectable Foster Care debts. Nine Foster Care Agencies have gone out of business during this time period, causing 25 uncollectable debts of which the Department is requesting \$27,498.16 in relief (see attached list of Out-of Business Agencies). The Department is unable to locate 13 Foster Care debtors, of which \$11,228.00 in relief is requested. Lastly, 46 debts, worth \$28,123.00 fell into the Bass vs. Anderson lawsuit (see ACL 97-55 attached). This lawsuit ruled that the State does not have authority under either State or Federal law to collect non-fraudulent overpayments of AFDC-FC benefits from relative/non-relative legal guardian and licensed foster family home providers.

Results

Throughout the years the Board has approved requests for relief of accountability from our Department. By relieving the Department of the requested **\$66,849.16**, collection staff will be released from the task of reviewing and maintaining records of debts that are no longer collectable for the aforementioned reasons.

FOSTER CARE AGENCIES OUT OF BUSINESS

Included in the Relief of Accountability period of Oct 2010 to Sep 2012

Agency Name	Total Debt Balance	# of Debts
Breaking the Cycle	\$2,588.00	1
Casa Pacific	\$905.00	1
Central Coast Group	\$8,235.00	4
Finch Youth Center	\$1,855.00	2
First Step	\$2,745.00	1
Moss Beach	\$5,230.90	11
Oakridge	\$790.26	1
Sarah's Group HM	\$3,841.00	3
Walden House	\$1,308.00	1
Total Relief requested	\$27,498.16	25

FC 405



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

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April 15, 2013

TO: Dan Buckshi, County Administrator

FROM: John Diodati, Department Administrator JD

VIA: Dave Flynn, Deputy Director of Public Works DF

SUBJECT: FY 12-13 Third Quarter Report - Request for Relief from Accountability

Summary

The Public Works Department requests relief from accountability for water and right-of-way charges that have been determined non-collectible. This action will remove non-collectible balances totaling \$5,133.94 as outlined on Attachment A.

Discussion

We are asking for relief from accountability for delinquent water charges in the amount of \$679.56 and right-of-way charges in the amount of \$4,454.38.

Our normal collection procedure for delinquent water charges is to shut off water service until the delinquent bill is paid. If a customer is a tenant and no longer resides at the service address, every effort is taken to locate the customer using all contact information that is available. If the customer is the owner of the property, the unpaid charges are placed on the property tax bill for collection. We are asking for relief from accountability because these methods of collection are not possible because of bankruptcy, foreclosure, and not being able to locate the customer.

The right-of-way charges are for work that was done at Upper Lopez Canyon Road in 2005. The customer disputed the charges and our right-of-way agent attempted to resolve the issues and collect the funds over the years with no success.

Other Agency Involvement

The Administrative office presents this item for approval to the Board of Supervisors and the Auditor-Controller's office processes the journal entry to adjust the accounts receivable balance in each fund.

Financial Considerations

These non-collectible accounts have a relatively insignificant impact on the funds involved.

Desired Results

Removal of these non-collectible accounts from accounts receivable will increase efficiency for accounting processes.

File: CSA 10A, CSA 16, CSA 23, Internal Service Fund

ATTACHMENT A

PUBLIC WORKS DEPARTMENT 2012-13 Request for Relief from Accountability

Fund 2501500000

CSA 10A - WATER

Account	Amount
12182	\$228.65
17202	\$75.10
17866	\$92.64
18812	\$13.06
15578-001	\$28.16

TOTAL FOR FUND 2501500000	\$437.61
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Fund 2502500000

CSA 16 - WATER

Account	Amount
16479	\$41.67
16488	\$6.67
18248	\$45.84
18658	\$57.50
18901	\$20.84
18845	\$28.17

TOTAL FOR FUND 2502500000	\$200.69
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Fund 2503501000

CSA 23 - WATER

Account	Amount
18657	\$41.26

TOTAL FOR FUND 2503501000	\$41.26
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ATTACHMENT A

PUBLIC WORKS DEPARTMENT
2012-13 Request for Relief from Accountability

Fund 2900000000

INTERNAL SERVICE FUND RIGHT-OF-WAY

Account	Amount
405R970117	\$4,454.38

TOTAL FOR FUND 2900000000	\$4,454.38
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TOTAL FOR ALL FUNDS	\$5,133.94
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